

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:08CR78
	)	
v.	)	
	)	
JULIAN RIO-RIO,	)	ORDER
	)	
Defendant.	)	
	)	

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This matter is before the Court on the report and recommendation and order of the magistrate judge (Filing No. 57), recommending that defendant's motion to suppress (Filing No. 19) be denied. The Court has reviewed the transcript of the hearing held by the magistrate judge (Filing No. 60), and notes no objections have been filed by defendant. The Court finds that the record supports the findings of the magistrate judge and that his report and recommendation should be approved and adopted. Accordingly,

IT IS ORDERED:

- 1) The report and recommendation of the magistrate judge is approved and adopted;
- 2) Defendant's motion to suppress is denied;
- 3) Trial of this matter is scheduled for:

**Tuesday, August 26, 2008, at 9 a.m.**

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. Due to the schedule of

counsel and the Court, the ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between August 1, 2008, and August 26, 2008, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 1st day of August, 2008.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court